

APPROVED: Meeting No. 37-89

ATTEST: *Sharon Gran*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 36-89

July 24, 1989

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on July 24, 1989, at 7:30 p.m.

PRESENT

Councilmember Steve Abrams (Mayor Pro Tem)

Councilmember Viola Hovsepian

Councilmember David Robbins

ABSENT

Mayor Douglas M. Duncan (illness)

Councilmember James Coyle

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. The Rotary Twilight Run held this past weekend was very successful with 2,260 runners participating. The proceeds from the Run, sponsored by the Rockville Rotary and the City of Rockville, will go to the Rockville Rotary Youth Recreation Scholarship Fund and the Polio Plus Program.

2. On Wednesday, July 26, at 11:30 a.m., the City and AFSCME will sign their new agreement.

3. Another communication has been sent to Rockville households participating in the recycling program. Three areas are participating in the pilot program which has been very successful. Statistics citing the amount of solid waste not going to the landfill as a result of recycling were impressive. The excellent cooperation received from Rockville households will certainly facilitate a successful implementation of the

Meeting No. 36-89

2

July 24, 1989

total recycling program in January, 1991.

4. On Wednesday, July 26, the Mayor and Council will be holding a quarterly meeting with the Boards and Commissions Chairpersons and the Civic Association Presidents at the Civic Center Mansion.

5. An update of the I-270 corridor improvements will be provided to the Mayor and Council weekly in the FYI. Today, crews are back working at Falls Road and Ritchie Parkway, and the revised date of August 15 as the deadline for completion appears realistic.

6. The Summer Banner Program is now complete.

Councilmember Abrams commented that there is a lot of support for banners in the Town Center area; however, they may be intrusive in the residential area, particularly the historic district in the vicinity of South Van Buren and West Montgomery. Staff may want to take a look at the appropriateness of the location of the banners to insure that they are directed to the commercial areas.

Councilmember Robbins noted that it was nice to see the banners around the government complex. He also commented on the great volunteer effort involved in Saturday night's Rotary Run.

Councilmember Abrams stated that it was brought to his attention at this past Saturday's drop-in session that hate/violence mail has been appearing in the College Gardens area. He asked staff to look into this and encouraged the City to continue a strong voice expressing condemnation of such action.

Re: Presentation of checks from
Hometown Holidays proceeds to
benefit two Rockville Youth
Sports groups

Councilmember Robbins presented checks in the amount of \$1,827 each, from Hometown Holidays proceeds, to the Rockville Football League (Gary Kelly) and the Rockville Baseball Association (Al Rubin).

Meeting No. 36-89

3

July 24, 1989

Re: Presentation of plaques to the
sponsors who donated \$1,000
or more for Hometown Holidays

Plaques were presented to the following sponsors of Hometown Holidays:

Benefactors (\$5,000)

First National Bank (Pat Douglas)
Kimmel Properties (Bill Ferguson)

Patrons (\$2,500)

Giant Food, Inc. (Barry Scher)
MCI (Gene Caffrey)
United Artists (Brian Kmetz, Tim Brouse)

Sponsors (\$1,000)

Anheuser Busch (Joe Martinez)
Chestnut Lodge Hospital (Dr. Anthony Bullard)
Commodore Management (Joene Gessner)
Venable, Baetjer & Howard (Paul Glasgow)
Chamber of Commerce (Ralph Delisa)
Coca Cola (Tony Vallentic)
Envelopes Unlimited (Jane Bucceri)
Gingery Management (Greg Gingery)
Rockville Gazette (Judy Hruz, Dieneke Johnson)
Rockville Rotary Club (John Freeland)
West Group (John Kenney)
Rockville Metro Center (John Freeland)

Re: Recognition of Amy Rosenberg
of Rockville High School, first
place winner, and Anat Samid
of Richard Montgomery High
School, honorable mention
recipient, in the 1989 Student
Essay Competition, "Medical
Ethics: Dilemmas and Decisions
Facing our Society," sponsored
by The Neurology Center and
open to all Montgomery County
High School students.

Meeting No. 36-89

4

July 24, 1989

Councilmember Hovsepian presented certificates of recognition to Amy Rosenberg of Rockville High School and Anat Samid of Richard Montgomery High School for their outstanding performances in the 1989 student essay competition, "Medical Ethics: Dilemmas and Decisions Facing our Society."

Re: Appointments

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Alan B. Sternstein was appointed to the Planning Commission to fill the unexpired term of Donald Boebel, who recently resigned.

Re: Citizens' Forum

At this time, the Mayor Pro Tem opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Lisa Taylor, 303 Lynn Manor Drive in Courthouse Walk, related traffic and safety concerns which affect her neighborhood, i.e., ingress and egress to Maryland Avenue, South Washington Street, Monroe Street and Argyle Street, from Courthouse Walk. She requested that staff look into the feasibility of correcting the problem on South Washington Street, and staff will be responding to this issue.

2. Linda Tennent, 1411 Fallsmead Way, requested that the I-270 signs at the Falls Road interchange be removed and replaced with signs appropriate to Falls Road. Councilmember Abrams suggested that the City examine this issue when the intersection is completed. The City also reinforced its commitment to enhance the landscaping in this area. Councilmember Robbins questioned whether the sign structure represented a change in engineering standards or if it was discretionary. Councilmember Abrams noted that a well-respected traffic engineer lives in the City and that it might be worthwhile for staff to get together with him on engineering standards.

3. Dottie Thoms, 2 Eton Overlook, as a Rockville rental property owner and a real estate agent and property manager, voiced her concerns regarding the resolution

Meeting No. 36-89

5

July 24, 1989

on the agenda to increase the licensing fee for single family homes from the current cost of \$50 to \$70 for a two-year license.

There being no other citizen wishing to be heard, the Mayor Pro Tem closed the Citizens' Forum portion of the meeting.

Re: Approval of Minutes

Upon motion of Councilmember Hovsepian, duly seconded, with Councilmember Robbins abstaining, the minutes of Meeting No. 34-89 (July 17, 1989) were approved, as written.

Re: Consent Agenda

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

- A. Award of Bid No. 112-89 for HVAC maintenance service to Johnson Controls, Inc. of Alexandria, Virginia, for a \$45,000 annual requirements contract for the base year and option years II & III, as low bidder for combined time and materials.

The contract provides for heating, ventilation, air conditioning, refrigeration, and boiler maintenance service of municipal facilities.

- B. Award of Bid #4-90 for Furnishing and Delivering Softballs for Rockville's slow pitch softball leagues. Low bid was submitted by DVF Sporting Goods Company of Williamsburg, Virginia, in the amount of \$20,391.75.
- C. Award of a contract for Hewlett-Packard computer maintenance pursuant to RFP #05-90 to Atlantic Tech Services for \$26,477.

Meeting No. 36-89

6

July 24, 1989

In response to Councilmember Hovsepian's question regarding information listing budgeted amounts as well as bid amounts, staff was directed to provide budgeted amounts on bid awards for future agenda sheets.

Re: Adoption of Ordinance - To amend Chapter 11, Section 11-1.01A of the "Laws of Rockville" so as to amend the provisions for parking permit areas to allow minor modifications to be made to existing parking permit areas without holding a public hearing.

These modifications would allow the City to be more responsive to citizen requests for alterations in the boundaries of parking permit zones. Councilmember Robbins moved introduction of this ordinance which was duly seconded. It was clarified that while minor changes could be effected without public hearing, the proposal still provides for Mayor and Council decision on any changes. These modifications would shorten the current process by approximately one month.

Discussion ensued regarding whether the use of five or fewer households is appropriate, and the City Attorney clarified that there is no limit as to how many times changes could be requested in increments of five households or less. Staff was requested to provide a profile of existing parking permit areas and the number of households involved, and adoption of the ordinance was deferred until the meeting of August 7, 1989.

Re: Adoption of Resolution to establish fees for building, plumbing, electrical and mechanical permits.

Resolution No. 19-89

Increased fees are included for building, plumbing and electrical permits, but not for mechanical permits. Also included are increases in Master Plumber and Master

Meeting No. 36-89

7

July 24, 1989

Electrician licenses. Councilmember Hovsepian asked why the fees for residential alterations and repairs had doubled and Councilmember Abrams asked if they were based on BOCA requirements. Staff responded that while the fee is based on square footage, there is a minimum \$15 fee which generally doesn't cover the inspection fee. Owner-initiated work usually requires special attention, i.e., several inspections and plans examiner review.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, Resolution No. 19-89, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to establish an increase in fees for building, plumbing and electrical permits.

Re: Adoption of Resolution to
establish a new fee schedule
for licensing of rental units
within the City.

An increase in the single family rental license fee, from \$50 to \$70 for a two-year license, is included. Multi-family renewal licenses are raised from \$15 to \$20 per unit. Councilmember Hovsepian moved introduction of this resolution which was duly seconded. Councilmember Hovsepian indicated that, in addition to Mrs. Thoms' letter, another letter had been received expressing concern with the proposed increase in the single family rental license fee. Councilmember Abrams asked staff how the figure was arrived at in order for revenue to recapture the expenses. Staff responded to questions regarding the number of licenses issued, the number of visits required per license. Mr. Romer reported that staff would come back with alternative plans which would generate the required revenue and would also address the equity issue raised by Mrs. Thoms during Citizens' Forum.

Adoption of the resolution was deferred until such time as the additional information is available for Mayor and Council consideration.

Meeting No. 36-89

8

July 24, 1989

Re: Adoption of Resolution to establish a new fee schedule for permits required under the Amusements and Vendors Regulations Ordinance.

Resolution No. 20-89

The fee for hawker/peddler and solicitor licenses is being raised from \$35 to \$50 per year. Additionally, the fee for amusement machines and amusement game machines has been eliminated per Mayor and Council direction. Upon motion of Councilmember Robbins, duly seconded and unanimously passed, Resolution No. 20-89, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to raise the fee for hawker/peddler and solicitor licenses and to eliminate the fee for amusement machines and amusement game machines.

Re: Adoption of Resolution to establish a new fee schedule for zoning applications, other applications and permits.

Resolution No. 21-89

The only change included is an increase in the fee for commercial, industrial and multi-family residential occupancy permits, from \$25 to \$40 per 5,000 gross square feet of occupied area. The fee for occupancy permits for one-family detached, attached or semi-detached dwellings remains the same. Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Resolution No. 21-89, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to increase the fee for commercial, industrial and multi-family residential occupancy permits.

Re: FYI/Correspondence

Councilmember Robbins noted an increase in criminal arrests in the City and asked for comments from the Chief of Police on the significance of this increase and if

Meeting No. 36-89

9

July 24, 1989

it is random or represents a trend. Staff noted that a report will be provided to the Mayor and Council.

Councilmember Hovsepian addressed several items:

- Neighborhood Night Out--August 8. The City Manager stated that four neighborhoods had expressed an interest in participating, and it is being coordinated through the Police Department. Since the Town Center is not available that evening, the four neighborhoods will pursue a localized effort, predominantly in the form of a block party. The timing of the event is 6:30 p.m. to 10:30 p.m. Councilmember Hovsepian requested that information be provided at the August 7 meeting regarding the activities on August 8.

- Falls Road. Councilmember Hovsepian noted that she hoped the intersection would be completed by August 15.

- New Traffic Signal at Ritchie Parkway and Henslowe. She noted that the neighborhood would certainly appreciate it.

- Red Barn. The cooperation of several groups working closely with the City in getting the Red Barn redevelopment moving forward is to be commended.

Councilmember Hovsepian read a letter of appreciation from Kermit Mohn regarding the responsiveness of the Public Works Department in improving a deep dip between the street level and his driveway apron.

Re: New Business

Councilmember Hovsepian noted that she had heard from a constituent as to how pleased they were to get a positive letter from the City regarding how well their yard is being maintained.

Councilmember Abrams thanked the City Attorney for providing a legal opinion regarding Mr. Harrison's votes on 14 and 16 Beall Avenue. While this answer responded to the legality of the issue, he expressed concern as to whether the best judgment and

Meeting No. 36-89

10

July 24, 1989

highest ethical standard were exercised. He also noted that he may ask at some later time for a review of the ethics statute and its applicability to boards and commissions as well as the Mayor and Council to avoid any semblance of conflict of interest. Councilmember Hovsepian noted that there is no way the Mayor and Council can monitor voting patterns; the Mayor and Council have to trust that the best judgment is reflected in the collective decisions of the various boards and commissions.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:00 p.m., to convene again in Public Hearing at 7:30 p.m. on July 31, 1989, or at the call of the Mayor.